

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING--October 21, 1964

Appeal #7953 Paul Brothers, Oldsmobile, appellant.

The Zoning Administrator District of Columbia, appellee.

On motion duly made, seconded and carried with Messrs. Davis and Harps dissenting, the following Order was entered on October 27, 1964:

(ORDERED:

That the appeal for a variance from the rear yard requirements of the C-3-A District to permit two-story roof deck as side addition to parking garage at 5220 Wisconsin Ave. N.W., parcels 25/118, 25/121 and 25/131, square 1657, be denied for the following reasons:

(1) From the records and the evidence adduced at the hearing, the Board was unable to find and appellant was unable to prove that by reason of exceptional narrowness, shallowness or shape of the specific piece of property, or by reason of exceptional topographical conditions or other extraordinary or exceptional situation or condition of the property, that the strict application of the Zoning Regulations will result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner of the property, as the lot in question is rectangular in shape being 77 feet frontage on Wisconsin Avenue and a depth of 150 feet to a twenty-foot wide public alley in the rear. Further, there is no topographical difficulties on the lot or any extraordinary conditions to preclude erection of this addition in accordance with the Zoning Regulations.

(2) In view of the above the Board further finds that this relief cannot be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the zoning regulations and map.